United Nations A/C.5/54/SR.74

General Assembly
Fifty-fourth session

Official Records

Distr.: General
18 September 2000

Original: English

Fifth Committee

Summary record of the first part* of the 74th meeting
Held at Headquarters, New York, on Friday, 2 June 2000, at 3 p.m.

Chairman: Ms. Wensley ..... (Australia)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

Contents

Agenda item 117: Financial reports and audited financial statements, and reports of the Board of Auditors (*continued*)

(a) United Nations peacekeeping operations (*continued*)

Agenda item 118: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Gratis personnel provided by Governments (*continued*)

Agenda item 164: Human resources management (*continued*)

Agenda item 119: Programme budget for the biennium 1998-1999 (*continued*)

Relationship between the treatment of perennial activities in the programme budget and the use of the contingency fund (*continued*)

Agenda item 121: Programme budget for the biennium 2000-2001 (*continued*)

Additional expenditures referred to in paragraphs 10 and 11 of annex I to General Assembly resolution 41/213 (*continued*)

* The summary record of the second part of the meeting, to be reconvened in the evening, will appear as document A/C.5/54/SR.74/Add.1.

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

00-46105 (E)

Agenda item 128: Financing of the United Nations peacekeeping forces in the Middle East (*continued*)

(a) United Nations Disengagement Observer Force (*continued*)

Agenda item 129: Financing of the United Nations Angola Verification Mission and the United Nations Observer Mission in Angola (*continued*)

Agenda item 128: Financing of the United Nations peacekeeping forces in the Middle East (*continued*)

(b) United Nations Interim Force in Lebanon (*continued*)

Agenda item 130: Financing of the activities arising from Security Council resolution 687 (1991) (*continued*)

(a) United Nations Iraq-Kuwait Observation Mission (*continued*)

Agenda item 131: Financing of the United Nations Mission for the Referendum in Western Sahara (*continued*)

The meeting was called to order at 3.15 p.m.

Agenda item 117: Financial reports and audited financial statements, and reports of the Board of Auditors (*continued*)

(a) United Nations peacekeeping operations (*continued*) (*A/C.5/54/L.58*)

Draft resolution A/C.5/54/L.58

1. **Mr. Mazemo** (Zimbabwe), introducing draft resolution A/C.5/54/L.58 on behalf of the Chairman, noted that the report of the Board of Auditors on United Nations peacekeeping operations (A/54/5) was a comprehensive document that raised many issues. Since the Committee had not considered all of those issues under the current agenda item, some might be raised subsequently under other items.

2. *Draft resolution A/C.5/54/L.58 was adopted.*

Agenda item 118: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Gratis personnel provided by Governments (*continued*) (*A/C.5/54/L.81*)

Agenda item 164: Human resources management (*continued*)

Draft resolution A/C.5/54/L.81

3. **Mr. Chandra** (India) introduced draft resolution A/C.5/54/L.81 concerning gratis personnel provided by Governments on behalf of the Chairman.

4. *Draft resolution A/C.5/54/L.81 was adopted.*

Agenda item 119: Programme budget for the biennium 1998-1999 (*continued*)

Relationship between the treatment of perennial activities in the programme budget and the use of the contingency fund (*continued*) (A/C.5/54/L.84)

Draft decision A/C.5/54/L.84

5. **Mr. Mirmohammad** (Islamic Republic of Iran) introduced draft decision A/C.5/54/L.84 on the relationship between the treatment of perennial activities in the programme budget and the use of the contingency fund on behalf of the Chairman.

6. *Draft decision A/C.5/54/L.84 was adopted.*

Agenda item 121: Programme budget for the biennium 2000-2001 (*continued*)

Additional expenditures referred to in paragraphs 10 and 11 of annex I to General Assembly resolution 41/213 (*continued*) (A/C.5/54/L.76)

Draft decision A/C.5/54/L.76

7. **Mr. Mirmohammad** (Islamic Republic of Iran) introduced draft decision A/C.5/54/L.76 concerning the additional expenditures referred to in paragraphs 10 and 11 of annex I to General Assembly resolution 41/213 on behalf of the Chairman.

8. *Draft decision A/C.5/54/L.76 was adopted.*

Agenda item 128: Financing of the United Nations Peacekeeping Forces in the Middle East (*continued*)

(a) United Nations Disengagement Observer Force (*continued*) (A/C.5/54/L.80)

Draft resolution A/C.5/54/L.80

9. **Mr. Ahounou** (Côte d'Ivoire), introducing draft resolution A/C.5/54/L.80 on the financing of the United Nations Disengagement Observer Force (UNDOF) on behalf of the Chairman, noted that the Arabic version of the draft resolution did not contain all the language on which agreement had been reached in informal consultations. The Secretariat had assured him that a revised version would be issued shortly.

10. *Draft resolution A/C.5/54/L.80 was adopted.*

11. **Mr. Nakkari** (Syrian Arab Republic) welcomed the adoption of the draft resolution. Ensuring good working conditions for the local staff of UNDOF was critical to the Force's success, especially in view of the hardships reportedly suffered by local staff and officials of other United Nations missions as a result of the relocation of the Force's headquarters from Damascus to Camp Faouar. The Secretariat should acknowledge those hardships by granting local staff a special hardship allowance and continue the fruitful dialogue between the administration and the local staff.

Agenda item 129: Financing of the United Nations Angola Verification Mission and the United Nations Observer Mission in Angola *(continued)* (A/C.5/54/L.59)

Draft resolution A/C.5/54/L.59

12. **Ms. Merchant** (Norway) introduced draft resolution A/C.5/54/L.59 on the financing of the United Nations Angola Verification Mission and the United Nations Observer Mission in Angola on behalf of the Chairman.

13. *Draft resolution A/C.5/54/L.59 was adopted.*

Agenda item 128: Financing of the United Nations peacekeeping forces in the Middle East *(continued)*

(b) **United Nations Interim Force in Lebanon** *(continued)* (A/C.5/54/L.69)

Draft resolution A/C.5/54/L.69

14. **The Chairman** drew the Committee's attention to draft resolution A/C.5/54/L.69 concerning the financing of the United Nations Interim Force in Lebanon (UNIFIL), which had been introduced by the representative of Nigeria, on behalf of the Group of 77 and China, at the Committee's 72nd meeting, held on 26 May 2000.

15. **Mr. Wharton** (United States of America) said that his delegation fully supported the activities of UNIFIL. However, it objected to the use of a draft resolution on the financing of a peacekeeping mission to pursue a financial claim against a Member State. It therefore requested that a recorded vote in one block be taken on the first preambular paragraph and operative paragraphs 2, 3 and 14 of the draft resolution.

16. **Mr. Adam** (Israel), speaking in explanation of vote before the voting, said that Israeli forces had withdrawn from Lebanon on 24 May 2000 and had redeployed to the international border. The withdrawal had been completed swiftly and with maximum restraint, despite the efforts by terrorists in the area to provoke a confrontation, using civilians as human shields.

17. His Government would have preferred to carry out the withdrawal within the framework of a peace agreement, but its efforts had not been reciprocated and it had finally undertaken to withdraw unilaterally. The withdrawal had been completed in full compliance with Security Council resolutions 425 (1978) and 426 (1978). Resolution 425 (1978) was aimed not only at bringing about the withdrawal of Israeli forces from Lebanon, but also at restoring international peace and security and ensuring the return of the effective authority of the Government of Lebanon in the area. He hoped that, with the withdrawal of Israeli forces, the remaining goals of the resolutions would be realized. His Government trusted that UNIFIL would have the capacity and resources necessary to discharge its mandate under resolution 425 and that the Government of Lebanon would fulfil its responsibility for ensuring peace and security within its borders. International law prohibited any State from allowing terrorists to use its territory and his Government reserved the right to act in self-defence should the need arise.

18. His delegation was forced to vote against the draft resolution because it singled out and faulted Israel unfairly and entirely for an incident that had been initiated by a terrorist group using human shields. There was, moreover, no precedent for calling in a draft resolution for one party to pay for damage to the property of a United Nations peacekeeping mission as a result of a clash. Had the Lebanese delegation not sought the inclusion of the confrontational language in paragraphs 2, 3 and 14 of the draft resolution, his delegation could have supported the text, since Israel was committed to the Organization's peacekeeping activities.

19. Israel's neighbours should adapt to the new reality on the ground, seize the momentum and return to the negotiating table so that together they could bring peace and security to their common borders.

20. **Mr. Diab** (Lebanon) said that the incident referred to in paragraph 14 of the draft resolution, in which more than 100 civilians had been killed by Israeli bombs while seeking the protection of the United Nations, had been a crime against humanity. The bombing had not been an accident, but a deliberate act of aggression consistent with Israeli policy towards Lebanon. Israel's occupation of Lebanon had been marked by acts of violence and intimidation against civilians, as the recent testimony of a former Israeli soldier reported in the *Boston Globe* had demonstrated. Israel's treatment of the Lebanese population amounted to State terrorism. Peace and security would return to the region only with the complete withdrawal of Israeli forces from the occupied territories and the full

implementation of the relevant Security Council resolutions. The language contained in the first preambular paragraph and in paragraphs 2, 3 and 14 of the draft resolution reflected the Committee's respect for the sanctity of human life and the inviolability of United Nations peacekeeping missions and must therefore be retained.

21. **Mr. Nakkari** (Syrian Arab Republic) said that the mendacious and misleading allegations of the representative of the Israeli occupying forces were aimed at stigmatizing the heroic national resistance in Lebanon as terrorists. Israel itself was the embodiment of State terrorism, which it practised on a daily basis against Arab citizens. What had been called a withdrawal was still not complete and should have taken place many years earlier. Many crimes had been committed both against innocent civilians and against UNIFIL, including the deliberate shelling of the Force's headquarters in April 1996. Israel must fully implement the resolutions of the General Assembly and the Security Council which called for its withdrawal from all occupied Arab territories and for payment for the damage resulting from the incident at Qana in 1996. Israel's withdrawal did not expunge the barbaric attack on Qana and had been carried out not because of Israel's love for peace but because it had succumbed to the heroic resistance of a people willing to shed its blood to defend and liberate its usurped territory.

22. He asked the representative of Lebanon to distribute his statement to all delegations because of the lessons it contained about the true meaning of terrorism. The call for negotiations was not enough to bring peace, which would come only when there was respect for international law, the relevant resolutions of the Security Council and the Madrid peace process.

23. **Mr. Abdalla** (Libyan Arab Jamahiriya) said that those who spoke of international law should abide by it. It was ironic that the representative of Israel should be speaking of terrorism when the State he represented was entirely based on terrorism, as the incidents at Deir Yassin, Qana and Ibrahimi Mosque had shown. Israel had not hesitated to fire its rockets into a United Nations camp to commit mass killings of people who believed that they were in a safe place and under the protection of international law. Those who preached against terrorism should call on their own authorities to put an end to their political assassinations and killings.

24. The Middle East had not witnessed acts of terrorism before the establishment of the State of Israel. What was currently taking place was a legitimate struggle against an invader and another example of double standards at the United Nations. Tribunals had been established to prosecute persons accused of war crimes in Rwanda and the former Yugoslavia but there was no court in which Israel could be prosecuted for the war crimes it had committed in Lebanon, Palestine and other Arab States. He hoped that Israel would not be protected by prestigious members of the United Nations but would be treated like any other State and that the conscience of the United Nations system would be stirred to expose the shameful record of Israel in the field of human rights.

25. *At the request of the representative of the United States of America, a recorded vote was taken on the first preambular paragraph and operative paragraphs 2, 3 and 14.*

In favour:

Algeria, Angola, Argentina, Bahrain, Belarus, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Cambodia, Chile, China, Colombia, Comoros, Costa Rica, Cuba, Democratic People's Republic of Korea, Egypt, Guatemala, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Mauritius, Mexico, Morocco, Nepal, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, South Africa, Sudan, Syrian Arab Republic, Thailand, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

Andorra, Australia, Austria, Bahamas, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden,

Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay.

26. *The first preambular paragraph and operative paragraphs 2, 3 and 14 were retained by 59 votes to 2, with 40 abstentions.*

27. *At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution as a whole.*

In favour:

Algeria, Andorra, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Canada, Chile, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Guyana, Hungary, India, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Malawi, Malaysia, Mauritius, Mexico, Monaco, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

None.

28. *Draft resolution A/C.5/54/L.69 was a whole was adopted by 99 votes to 2.*

29. **Mr. Hassan** (Nigeria), speaking on behalf of the Group of 77 and China, said that the Group of 77 and China were concerned that the General Assembly was once again adopting provisions similar to those it had adopted for the past three years on the financing of UNIFIL. They appealed to the Secretary-General and the relevant parties to implement the provisions of the draft resolution which had just been adopted.

30. **Mr. Fox** (Australia), speaking on behalf of Canada, New Zealand and his own delegation, said that those delegations were pleased that draft resolution A/C.5/54/L.69 provided for continued financing for UNIFIL, but were disappointed that once again it had not been possible to achieve consensus. They had abstained in the vote on individual paragraphs of the draft resolution because those paragraphs represented a continuation of a regrettable precedent set three years previously and contained political elements which were inappropriate for a financing resolution; they also undermined longstanding budgetary principles for the financing of United Nations peacekeeping operations based on collective responsibility.

31. Australia, Canada and New Zealand noted that as of 30 April 2000, only 18 per cent of Member States had fulfilled their financial obligations and paid their assessed contributions to UNIFIL in full, and urged all Member States which had not yet done so to pay their assessed contributions without delay.

32. **Mr. Fujii** (Japan) said that his delegation had voted in favour of draft resolution A/C.5/54/L.69 as a whole with a view to discharging its responsibility as a Member State for ensuring the financing of United Nations peacekeeping operations, including UNIFIL. It expressed deep regret that the Committee had not been able to achieve consensus.

33. **Mr. Diab** (Lebanon) said that the adoption of draft resolution A/C.5/54/L.69, including the amendments asking Israel to pay for its crime of aggression against an active duty station of the United Nations, did credit to every member of the Committee who had supported it and was a symbolic token of respect to the Lebanese children, women and elderly people who had lost their lives seeking refuge from Israeli bombs. The Committee had once again demonstrated that on the issue of the financing of peacekeeping operations, collective financial responsibility went hand in hand with collective responsibility for human lives and the safety and inviolability of the peacekeeping mission. Lebanon hoped that the resolution would be a lesson to any aggressor to show respect for human lives and the sacred mission of United Nations peacekeeping operations. The draft resolution also represented a

token of respect for the work of United Nations peacekeeping troops which were risking their lives to bring peace to a country whose rights to its land had been violated by Israel for 22 years. UNIFIL was a success story among peacekeeping missions; peacekeeping and national resistance had proven to be two fundamental prerequisites for liberation from occupation, a right enshrined in the Charter of the United Nations and international law.

34. His delegation had full confidence in the Secretary-General with regard to ensuring that the draft resolution was implemented, and would continue to monitor the situation.

35. **Mr. Ramos** (Portugal), speaking on behalf of the European Union, the associated countries Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Lithuania, Malta, Romania, Slovakia, Slovenia and Turkey and, in addition, Liechtenstein, recalled that the European Union's position regarding the financial aspects of the United Nations costs resulting from the Qana incident of 18 April 1996 was based on the following elements: (a) the costs resulting from the incident were of a specific kind; (b) an appeal to have the costs financed through voluntary contributions would be welcome; (c) the costs should be kept in the budget; and (d) the financing of United Nations peacekeeping operations should continue to be a collective responsibility.

36. The European Union Member States had abstained in the vote on individual paragraphs of the draft resolution because they considered the text, as drafted, inappropriate in the context of a resolution dealing with the financing of UNIFIL. The broader political aspects of the events, including the incident at Qana, had been debated in the General Assembly in April 1996, resulting in resolution 50/22 C of 25 April 1996. As in past years, the European Union would have wished the consultations in the Committee to be confined to budgetary aspects.

Agenda item 130: Financing of the activities arising from Security Council resolution 687 (1991) *(continued)*

(a) United Nations Iraq-Kuwait Observation Mission *(continued)* (A/C.5/54/L.88 and A/C.5/54/L.94)

37. **Mr. Jaremczuk** (Poland), Rapporteur, introducing draft resolution A/C.5/54/L.88 and draft decision A/C.5/54/L.94, said that draft resolution A/C.5/54/L.88 had been approved by consensus in informal consultations. With regard to draft decision A/C.5/54/L.94, it had not been possible to reach agreement on a consensus text. The draft decision therefore provided that the General Assembly would revert to the question of the payment of mission subsistence allowance during the main part of the fifty-fifth session of the General Assembly.

38. **Mr. Monayair** (Kuwait), speaking in explanation of position before the decision, said that his delegation was satisfied that payments were not increasing as stated in the reports, including the report of the Board of Auditors on United Nations peacekeeping operations (A/54/5). Even though he had been unable to obtain answers to some of his questions on the mission subsistence allowance owing to the lack of time, in a spirit of cooperation Kuwait would support the draft decision, particularly since the Assembly would revert to the question during the main part of its fifty-fifth session.

39. *Draft resolution A/C.5/54/L.88 and draft decision A/C.5/54/L.94 were adopted.*

Agenda item 131: Financing of the United Nations Mission for the Referendum in Western Sahara *(continued)* (A/C.5/54/L.60)

40. **Ms. Buergo Rodríguez** (Cuba), introducing draft resolution A/C.5/54/L.60, said that in the second preambular paragraph, the words "resolution 1292 (2000) of 29 February 2000" should be replaced by "resolution 1301 (2000) of 31 May 2000". In operative paragraph 13, the date "30 June" should be changed to "31 July".

41. **Mr. Tello** (Mexico), speaking in explanation of position before the decision, said that his delegation was concerned that the Security Council appeared to be moving away from its traditional position on Western Sahara. It was significant that Security Council resolution 1301 (2000) had not been adopted unanimously. Namibia had voted against it, Jamaica and Mali had abstained, and there had been eight explanations of vote. That resolution requested the parties to explore all ways and means to achieve an early, durable and agreed solution to their dispute over Western Sahara; however, the Security Council, the

General Assembly, and the Committee, were all committed to holding a referendum enabling the Saharan people to decide on their future. For the past 10 years, the Committee had supported a referendum and had authorized expenditure for it amounting to over $374 million. His delegation therefore wished to know why the Committee was not insisting on the organization of the referendum. If the Committee was now considering other options, his delegation wished to know what they were, how much they would cost, and what had happened to the funds allocated to the holding of a referendum. It also wished to know whether that change meant that self-determination, a principle enshrined in the Charter, was no longer applicable in Africa and whether the African countries had accepted that situation

42. **Mr. Wharton** (United States of America) said that his delegation would respond to the representative of Mexico at a later time.

43. **Mr. Zahid** (Morocco) said that the Committee was dealing with the financing of the United Nations Mission for the Referendum in Western Sahara (MINURSO). The Committee was a purely technical body which considered and approved the financial implications of the decisions of bodies like the Security Council. It was not competent to consider the substance of matters considered in the Security Council, or issues like self-determination.

44. **Mr. Bouhadou** (Algeria) said that his delegation shared the concerns of the representative of Mexico Member States had a legitimate right to be concerned about the use of financial resources and of contributions to peacekeeping operations in general, and to MINURSO in particular. However, the political aspects of MINURSO and the Mission's operation and objectives were a matter for the Security Council. In that respect, his delegation supported the opinion expressed by the representative of Morocco.

45. **The Chairman** said that regardless of the circumstances in which Security Council resolution 1301 (2000) had been adopted, the fact remained that it had been adopted and the second preambular paragraph of draft resolution A/C.5/54/L.60 simply reflected that fact. The change of the date at the end of paragraph 13 also reflected a factual situation. She hoped that the Committee would be able to adopt draft resolution A/C.5/54/L.60 so that it could meet its obligations to MINURSO.

46. **Mr. Tello** (Mexico) said that his delegation had expressed concern about Security Council resolution 1301 (2000) because for the first time, after 10 years and millions of dollars, the Security Council was considering other possibilities for a solution of the problem of Western Sahara. However, the Security Council had extended the mandate of MINURSO to 30 June 2000 and that the title of the draft resolution referred to the financing of the referendum in Western Sahara. That meant that the Committee was still committed to the holding of a referendum. His delegation would therefore have no difficulty in voting in favour of the draft resolution.

47. **Mr. Zahid** (Morocco) said that Security Council resolution 1301 (2000) used language which had already been used in Security Council resolution 1292 (2000). The mandate of the Secretary-General's Personal Envoy was the same as in 1997, and the Security Council had approved that mandate without any abstentions. Morocco had always kept the Security Council and all Member States informed of all difficulties encountered in implementing the provisions adopted by the Security Council. As early as 1992, the former Secretary-General, Mr. Boutros Boutros-Ghali, had raised the possibility of other approaches, but there had never been any question of abandoning the referendum. It was very clear in Security Council resolution 1292 (2000) that the parties were being invited to seek solutions to resolve differences over the implementation of the Settlement Plan. In any case, once a resolution was adopted by the Security Council, the Committee had to abide by it.

48. *Draft resolution A/C.5/54/L.60, as orally amended, was adopted.*

49. **Mr. Odaga-Jalomayo** (Uganda) said that his delegation was very uncomfortable with the adoption by the Committee of draft resolutions in which the figures were left blank. The Committee should suspend its formal deliberations and complete its unfinished work.

50. **Mr. Hassan** (Nigeria), speaking on behalf of the Group of 77 and China, expressed support for the view of the representative of Uganda.

51. **Mr. Nakkari** (Syrian Arab Republic) said that there were a number of important items to be completed, including such urgent matters as the convening of the Committee on Conferences in Nairobi, development financing, financing of the

United Nations Conference on the Least Developed Countries, and the Development Account. He agreed with the proposal just made by the representative of Uganda.

The meeting was suspended at 5.05 p.m.